

TREATY OF AMITY AND COOPERATION  
IN SOUTHEAST ASIA

P R E A M B L E

The High Contracting Parties :

CONSCIOUS of the existing ties of history, geography and culture, which have bound their peoples together;

ANXIOUS to promote regional peace and stability through abiding respect for justice and the rule of law and enhancing regional resilience in their relations;

DESIRING to enhance peace, friendship and mutual cooperation on matters affecting Southeast Asia consistent with the spirit and principles of the Charter of the United Nations, the Ten Principles adopted by the Asian-African Conference in Bandung on 25 April 1955, the Declaration of the Association of Southeast Asian Nations signed in Bangkok on 8 August 1967, and the Declaration signed in Kuala Lumpur on 27 November 1971;

CONVINCED that the settlement of differences or disputes between their countries should be regulated by rational, effective and sufficiently flexible procedures, avoiding negative attitudes which might endanger or hinder cooperation;

BELIEVING in the need for cooperation with all peace-loving nations, both within and outside Southeast Asia, in the furtherance of world peace, stability and harmony;

SOLEMNLY AGREE to enter into a Treaty of Amity and Cooperation as follows :

CHAPTER I  
PURPOSE AND PRINCIPLES

*Article 1*

The purpose of this Treaty is to promote perpetual peace, everlasting amity and cooperation among their peoples which would contribute to their strength, solidarity and closer relationship.

*Article 2*

In their relations with one another, the High Contracting Parties shall be guided by the following fundamental principles :

- a. Mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations;
- b. The right of every State to lead its national existence free from external interference, subversion or coercion;
- c. Non-interference in the internal affairs of one another;
- d. Settlement of differences or disputes by peaceful means;
- e. Renunciation of the threat or use of force;
- f. Effective cooperation among themselves.

**CHAPTER II**  
**A M I T Y**

*Article 3*

In pursuance of the purpose of this Treaty the High Contracting Parties shall endeavour to develop and strengthen the traditional, cultural and historical ties of friendship, good neighbourliness and cooperation which bind them together and shall fulfil in good faith the obligations assumed under this Treaty. In order to promote closer understanding among them, the High Contracting Parties shall encourage and facilitate contact and intercourse among their peoples.

**CHAPTER III**  
**COOPERATION**

*Article 4*

The High Contracting Parties shall promote active cooperation in the economic, social, cultural, technical, scientific and administrative fields as well as in matters of common ideals and aspirations of international peace and stability in the region and all other matters of common interest.

*Article 5*

Pursuant to Article 4 the High Contracting Parties shall exert their maximum efforts multilaterally as well as bilaterally on the basis of equality, non-discrimination and mutual benefit.

*Article 6*

The High Contracting Parties shall collaborate for the acceleration of the economic growth in the region in order to strengthen the foundation for a prosperous and peaceful community of nations in Southeast Asia. To this end, they shall promote the greater utilization of their agriculture and industries, the expansion of their trade and the improvement of their economic infra-structure for the mutual benefit of their peoples. In this regard, they shall continue to explore all avenues for close and beneficial cooperation with other States as well as international and regional organisations outside the region.

*Article 7*

The High Contracting Parties, in order to achieve social justice and to raise the standards of living of the peoples of the region, shall intensify economic cooperation. For this purpose, they shall adopt appropriate regional strategies for economic development and mutual assistance.

*Article 8*

The High Contracting Parties shall strive to achieve the closest cooperation on the widest scale and shall seek to provide assistance to one another in the form of training and research facilities in the social, cultural, technical, scientific and administrative fields.

*Article 9*

The High Contracting Parties shall endeavour to foster cooperation in the furtherance of the cause of peace, harmony and stability in the region. To this end, the High Contracting Parties shall maintain regular contacts and consultations with one another on international and regional matters with a view to coordinating their views, actions and policies.

*Article 10*

Each High Contracting Party shall not in any manner or form participate in any activity which shall constitute a threat to the political and economic stability, sovereignty, or territorial integrity of another High Contracting Party.

*Article 11*

The High Contracting Parties shall endeavour to strengthen their respective national resilience in their political, economic, socio-cultural as well as security fields in conformity with their respective ideals and aspirations, free from external interference as well as internal subversive activities in order to preserve their respective national identities.

*Article 12*

The High Contracting Parties in their efforts to achieve regional prosperity and security, shall endeavour to cooperate in all fields for the promotion of regional resilience, based on the principles of self-confidence, self-reliance, mutual respect, cooperation and solidarity which will constitute the foundation for a strong and viable community of nations in Southeast Asia.

CHAPTER IV  
PACIFIC SETTLEMENT OF DISPUTES

*Article 13*

The High Contracting Parties shall have the determination and good faith to prevent disputes from arising. In case disputes on matters directly affecting them should arise, especially disputes likely to disturb regional peace and harmony, they shall refrain from the threat or use of force and shall at all times settle such disputes among themselves through friendly negotiations.

*Article 14*

To settle disputes through regional processes, the High Contracting Parties shall constitute, as a continuing body, a High Council comprising a Representative at ministerial level from each of the High Contracting Parties to take cognizance of the existence of disputes or situations likely to disturb regional peace and harmony.

*Article 15*

In the event no solution is reached through direct negotiations, the High Council shall take cognizance of the dispute or the situation and shall recommend to the parties in dispute appropriate means of settlement such as good offices, mediation, inquiry or conciliation. The High Council may however offer its good offices, or upon agreement of the parties in dispute, constitute itself into a committee of mediation, inquiry or conciliation. When deemed necessary, the High Council shall recommend appropriate measures for the prevention of a deterioration of the dispute or the situation.

*Article 16*

The foregoing provisions of this Chapter shall not apply to a dispute unless all the parties to the dispute agree to their application to that dispute. However, this shall not preclude the other High Contracting Parties not party to the dispute from offering all possible assistance to settle the said dispute. Parties to the dispute should be well disposed towards such offers of assistance.

*Article 17*

Nothing in this Treaty shall preclude recourse to the modes of peaceful settlement contained in Article 33 (1) of the Charter of the United Nations. The High Contracting Parties which are parties to a dispute should be encouraged to take initiatives to solve it by friendly negotiations before resorting to the other procedures provided for in the Charter of the United Nations.

## CHAPTER V GENERAL PROVISIONS

### *Article 18*

This Treaty shall be signed by the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Republic of Singapore and the Kingdom of Thailand. It shall be ratified in accordance with the constitutional procedures of each signatory State.

It shall be open for accession by other States in Southeast Asia.

### *Article 19*

This Treaty shall enter into force on the date of the deposit of the fifth instrument of ratification with the Governments of the signatory States which are designated Depositories of this Treaty and of the instruments of ratification or accession.

### *Article 20*

This Treaty is drawn up in the official languages of the High Contracting Parties, all of which are equally authoritative. There shall be an agreed common translation of the texts in the English language. Any divergent interpretation of the common text shall be settled by negotiation.

IN FAITH THEREOF the High Contracting Parties have signed the Treaty and have hereto affixed their Seals.

DONE at Denpasar, Bali, this twenty-fourth day of February in the year one thousand nine hundred and seventy-six.

Untuk Republik Indonesia  
Bagi Pihak Republik Indonesia  
Para sa Republika ng Indonesia

สำหรับสาธารณรัฐอินโดนีเซีย

For the Republic of Indonesia

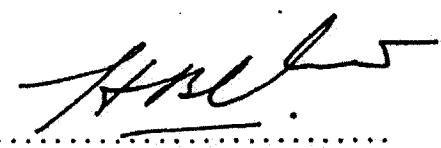


Soeharto,  
President

Untuk Malaysia  
Bagi Pihak Malaysia  
Para sa Malaysia

สำหรับมาเลเซีย

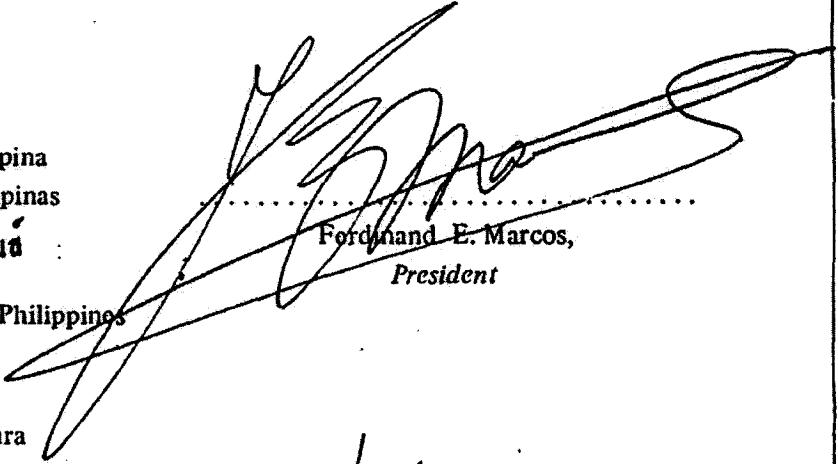
For Malaysia

  
Datuk Hussein Onn,  
Prime Minister

Untuk Republik Pilipina  
Bagi Pihak Republik Filipina  
Para sa Republika ng Pilipinas

สำหรับสาธารณรัฐฟิลิปปินส์

For the Republic of the Philippines

  
Ferdinand E. Marcos,  
President

Untuk Republik Singapura  
Bagi Pihak Republik Singapura  
Para sa Republika ng Singapore

สำหรับสาธารณรัฐสิงคโปร์

For the Republic of Singapore

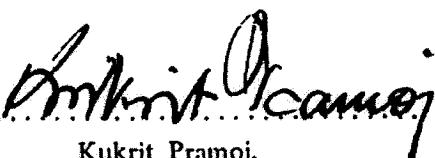
  
Lee Kuan Yew,

Prime Minister

Untuk Kerajaan Thailand  
Bagi Pihak Thailand  
Para sa Kaharian ng Thailand

สำหรับราชอาณาจักรไทย

For the Kingdom of Thailand



Kukrit Pramoj,  
Prime Minister

**DEPARTMENT OF STATE**

**WASHINGTON**

**July 15, 2009**

**Excellency:**

I have the honor to refer to the Treaty of Amity and Cooperation in Southeast Asia, done at Denpasar, Bali, Indonesia, on February 24, 1976, as amended, (the Treaty), and am pleased to inform you that the Government of the United States of America has decided to accede to the Treaty in accordance with Article 18.

The Government of the United States greatly appreciates the assistance it has derived from the discussions that U.S. officials have had with ASEAN counterparts regarding the Treaty. The U.S. Government, upon acceding to the Treaty, has the further honor to make the following statements. The Treaty will not apply to, or affect, U.S. relationships with states outside of Southeast Asia. The United States' accession to the Treaty does not affect the United States' rights and obligations under other bilateral

His Excellency

Kasit Piromya,

Minister of Foreign Affairs of the Kingdom of Thailand  
and Chairman of the ASEAN Coordinating Council,  
Bangkok.

**DIPLOMATIC NOTE**

or multilateral agreements and, noting Article 10, does not limit actions taken by the United States that it considers necessary to address a threat to its national interests. The Treaty will be interpreted in conformity with the United Nations Charter, and the United States' accession does not affect the United States' rights and obligations arising from the Charter of the United Nations.

I have the further honor to note that the United States' accession to the Treaty, which supports the integrity of the Treaty's purpose to promote perpetual peace, everlasting amity and cooperation among the peoples of the High Contracting parties, will further strengthen our substantive ties with ASEAN.

Accept, Excellency, the renewed assurances of my highest consideration.

Hillary Rodham Clinton

**INSTRUMENT OF ACCESSION  
TO THE TREATY OF AMITY AND COOPERATION  
IN SOUTHEAST ASIA  
BY THE UNITED STATES OF AMERICA**

**WHEREAS** the Treaty of Amity and Cooperation in Southeast Asia, which was signed on 24 February 1976 in Bali, Indonesia, was amended by the First and the Second Protocols Amending the Treaty of Amity and Cooperation in Southeast Asia, which were signed on 15 December 1987 and 25 July 1998, respectively;

**WHEREAS** Article 18, Paragraph 3, of the aforesaid Treaty as amended by Article 1 of the aforesaid Second Protocol provides that States outside Southeast Asia may also accede to the Treaty with the consent of all the States in Southeast Asia, namely Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam; and

**WHEREAS** all the States in Southeast Asia have consented to the accession of the United States of America to the Treaty;

**NOW**, therefore, the United States of America, having considered the aforesaid Treaty as amended by the Protocols, hereby accedes to the same and undertakes faithfully to perform and carry out all the stipulations therein contained.

**IN WITNESS WHEREOF**, this Instrument of Accession is signed by the Secretary of State of the United States of America.



**DONE** at Phuket, Thailand, this Twenty-Second Day of July  
in the Year Two Thousand and Nine.

*Hillary Rodham Clinton*  
**HILLARY RODHAM CLINTON**  
Secretary of State  
United States of America





## **INSTRUMENT OF EXTENSION OF THE TREATY OF AMITY AND COOPERATION IN SOUTHEAST ASIA**

**WHEREAS** the Treaty of Amity and Cooperation in Southeast Asia, which was signed on 24 February 1976 in Bali, Indonesia, was amended by the First and the Second Protocols Amending the Treaty of Amity and Cooperation in Southeast Asia, which were signed on 15 December 1987 and 25 July 1998, respectively;

**WHEREAS** Article 18, Paragraph 3, of the aforesaid Treaty as amended by Article 1 of the aforesaid Second Protocol provides that States outside Southeast Asia may accede to the Treaty with the consent of all the States in Southeast Asia, namely Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam; and

**WHEREAS** the Secretary of State of the United States of America in a letter dated 15 July 2009, conveyed the desire of the Government of the United States of America to accede to the Treaty;

**NOW**, therefore, the Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam, having considered the said letter, hereby consent to the accession to the Treaty by the Government of the United States of America.



**DONE** at Phuket, Thailand, this Twenty-Second Day of July  
in the Year Two Thousand and Nine.

For Brunei Darussalam:



**MOHAMED BOLKIAH**  
Minister of Foreign Affairs and Trade

For the Kingdom of Cambodia:



**HOR NAMHONG**  
Deputy Prime Minister and  
Minister of Foreign Affairs and International Cooperation



For the Republic of Indonesia:

*Wacikus.* —

**DR. N. HASSAN WIRAJUDA**  
Minister for Foreign Affairs

For the Lao People's Democratic Republic:

*Thongloun Sisoulith*

**DR. THONGLOUN SISOULITH**  
Deputy Prime Minister and Minister of Foreign Affairs

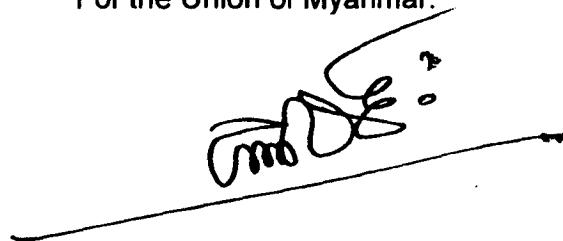
For Malaysia:

*Anifah Aman*

**DATUK ANIFAH AMAN**  
Minister of Foreign Affairs

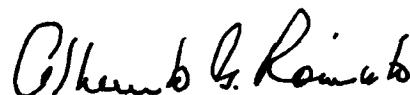


For the Union of Myanmar:



**NYAN WIN**  
Minister for Foreign Affairs

For the Republic of the Philippines:



**ALBERTO G. ROMULO**  
Secretary of Foreign Affairs

For the Republic of Singapore:



**GEORGE YONG-BOON YEO**  
Minister for Foreign Affairs



For the Kingdom of Thailand:



**KASIT PIROMYA**  
Minister of Foreign Affairs

For the Socialist Republic of Viet Nam:



**DR. PHAM GIA KHIEM**  
Deputy Prime Minister and Minister for Foreign Affairs

